Maryland (Mr. CARDIN) were added as cosponsors of S. Con. Res. 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

S. RES. 607

At the request of Mr. DORGAN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. Res. 607, a resolution recognizing the month of October 2010 as ''National Principals Month''.

AMENDMENT NO. 4596

At the request of Mr. JOHANNS, the names of the Senator from Utah (Mr. BENNETT) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of amendment No. 4596 proposed to H.R. 5297, an act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

AMENDMENT NO. 4608

At the request of Mr. BEGICH, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 4608 intended to be proposed to H.R. 5297, an act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

At the request of Mrs. MCCASKILL, her name was added as a cosponsor of amendment No. 4608 intended to be proposed to H.R. 5297, supra.

AMENDMENT NO. 4609

At the request of Mr. UDALL of Colorado, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 4609 intended to be proposed to H.R. 5297, an act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. SHAHEEN (for herself and Ms. LANDRIEU):

S. 3780. A bill to establish a building efficiency retrofit loan credit support program, a State building revolving fund grant program, and a commercial and large building grant program; to the Committee on Energy and Natural Resources.

Mrs. SHAHEEN. Mr. President. I rise today to join with my colleague and fellow member of the Senate Energy and Natural Resources Committee, Senator MARY LANDRIEU of Louisiana, to introduce the Recovery Through Building Renovation Act of 2010.

There is enormous potential to reduce our nation's energy consumption and create jobs by investing in energy efficiency, especially through renovating existing buildings.

According to the Energy Information Administration, buildings account for more than 48 percent of total energy consumption in the United States. That is more than transportation sector and more than the industrial sector. More than 70 percent of the commercial buildings in this country are older than 20 years and these buildings are significantly less efficient than buildings built today. Improvements to these types of buildings can improve efficiency by 20 to 40 percent using widely available technologies and the payback period can be as little 5 years.

These investments in building efficiency pay for themselves and then some.

Most importantly, Senator LANDRIEU and I view this legislation as part of our broader effort here to create jobs and contribute to our economic recovery.

Updating buildings with modern energy efficiency technologies not only saves money on energy costs, it also creates jobs. Jobs in the construction industry. Jobs in the manufacturing industry. Jobs in the retail sector of the economy. These jobs can't be outsourced and they are jobs that can serve as an important part of our clean, alternative energy economy.

Yet despite all this potential, there is actually very little of this energy efficient renovation taking place because of financial barriers. Most commercial buildings are leased and investments in energy efficiency by building owners are uncertain because the tenant, not the owner, will capture the energy savings. This is often referred to as a ''split incentive.'' Likewise, lenders typically will not accept projected energy savings—even if guaranteed by an energy services company—as sufficient collateral to finance a building renovation.

Our legislation would use the DOE loan guarantee program to help unlock private capital and encourage investment in building retrofit projects and programs.

The Recovery Through Building Renovation Act expands the existing DOE loan guarantee program to cover buildings in the commercial and industrial sectors, in schools and universities, and hospitals so that they can be renovated to be more energy efficient.

Our legislation also establishes a competitive grant program within DOE to allow states to capitalize revolving loan funds to renovate municipal buildings. This program is modeled after the highly successful Texas LoanSTAR program. Finally, it also establishes a DOE grant program to capitalize loan loss reserve funds for tax-district financing programs, such as property assessed clean energy, or ''PACE'' programs, which a number of states are utilizing.

There is so much potential that exists here and I think we need to put existing programs to work, like the loan guarantee program, to unlock private capital and reap the benefits that will come from making these buildings more energy efficient.

I encourage my colleagues to support our legislation.

Mr. President, 1 ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3780

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Recovery Through Building Renovation Act of 2010''.

SEC. 2. BUILDING EFFICIENCY RETROFIT LOAN CREDIT SUPPORT PROGRAM.

Title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.) is amended by adding at the end the following:

''SEC. 1706. BUILDING RETROFIT FINANCING PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) CREDIT SUPPORT.—The term 'credit support' means a guarantee or commitment to issue a guarantee or other forms of credit enhancement to ameliorate risks for efficiency obligations.

''(2) EFFICIENCY OBLIGATION.—The term 'efficiency obligation' means a debt or repayment obligation incurred in connection with financing a project, or a portfolio of such debt or payment obligations.

''(3) PROJECT.—The term 'project' means the installation of efficiency or renewable energy measures in a building (or in multiple buildings on a given property) that are expected to increase the energy efficiency of the building (including fixtures) in accordance with criteria established by the Secretary.

''(b) ELIGIBLE PROJECTS.—

''(1) IN GENERAL.—Notwithstanding sections 1703 and 1705, the Secretary may provide credit support under this section, in accordance with section 1702.

''(2) INCLUSIONS.—Buildings eligible for credit support under this section include commercial, industrial, municipal, university, school, and hospital facilities that satisfy criteria established by the Secretary.

''(c) GUIDELINES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall establish guidelines for credit support provided under this section.

''(2) REQUIREMENTS.—The guidelines established by the Secretary under this subsection shall include—

''(A) standards for assessing the energy savings that could reasonably be expected to result from a project;

''(B) examples of financing mechanisms (and portfolios of such financing mechanisms) that qualify as efficiency obligations;

''(C) the threshold levels of energy savings that a project, at the time of issuance of credit support, shall be reasonably expected to achieve to be eligible for credit support;

''(D) the eligibility criteria the Secretary determines to be necessary for making credit support available under this section; and

''(E) any lien priority requirements that the Secretary determines to be necessary.

''(3) EFFICIENCY OBLIGATIONS.—The financing mechanisms qualified by the Secretary under paragraph (2)(B) may include—

''(A) loans, including loans made by the Federal Financing Bank;

''(B) power purchase agreements, including energy efficiency power purchase agreements;

''(C) energy services agreements, including energy performance contracts;

''(D) property assessed clean energy bonds and other tax assessment-based financing mechanisms;

''(E) aggregate on-meter agreements that finance retrofit projects; and

''(F) any other efficiency obligations the Secretary determines to be appropriate.

''(4) PRIORITIES.—In carrying out this section, the Secretary shall prioritize—

''(A) the maximization of energy savings with the available credit support funding;

''(B) the establishment of a clear application and approval process that allows private building owners, lenders, and investors to reasonably expect to receive credit support for projects that conform to guidelines; and

''(C) the distribution of projects receiving credit support under this section across States or geographical regions of the United States.

''(5) MINIMUM ENERGY SAVINGS REQUIREMENT.—

''(A) IN GENERAL.—In carrying out this section, the Secretary shall establish an initial minimum energy savings requirement for eligible projects that, to the maximum extent practicable, results in the greatest amount of energy savings on a per project basis.

''(B) ADJUSTMENTS.—

''(i) IN GENERAL.—Not less than once each year, the Secretary shall adjust the minimum energy savings requirement described in subparagraph (A) and any other credit support terms the Secretary determines to be necessary, including the maximum percentage of the efficiency obligation that may be guaranteed, taking into account market conditions and the available funding.

''(ii) ADVANCED NOTICE.—If the Secretary adjusts the energy savings requirement, the Secretary shall provide at least 90 days advanced public notice.

''(d) LIMITATION.—Notwithstanding section 1702(c), the Secretary shall not issue credit support under this section in an amount that exceeds—

''(1) 90 percent of the principal amount of the efficiency obligation that is the subject of the credit support; or

''(2) $10,000,000 for any single project.

''(e) AGGREGATION OF PROJECTS.—To the extent provided in the guidelines developed in accordance with subsection (c), the Secretary may issue credit support on a portfolio, or pool of projects, that are not required to be geographically contiguous, if each efficiency obligation in the pool fulfills the requirements described in this section.

''(f) APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive credit support under this section, the applicant shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be necessary.

''(2) CONTENTS.—An application submitted under this section shall include assurances by the applicant that—

''(A) each contractor carrying out the project—

''(i) meets minimum experience level criteria, including local retrofit experience, as determined by the Secretary; and

''(ii) beginning on the date on which credit support is issued, will comply with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the ''Davis-Bacon Act'');

''(B) the project is reasonably expected to achieve energy savings, as set forth in the application using any methodology that meets the standards described in the program guidelines;

''(C) the project meets any technical criteria described in the program guidelines;

''(D) the recipient of the credit support and the parties to the efficiency obligation will provide the Secretary with—

''(i) any information the Secretary requests to assess the energy savings that result from the project, including historical energy usage data and detailed descriptions of the building work, as described in the program guidelines; and

''(ii) permission to access information relating to building operations and usage for the period described in the program guidelines; and

''(E) any other assurances that the Secretary determines to be necessary.

''(3) DETERMINATION.—Not later than 90 days after receiving an application, the Secretary shall make a final determination on the application, which may include requests for additional information.

''(g) FEES.—

''(1) IN GENERAL.—In addition to the fees required by section 1702(h)(1), the Secretary may charge reasonable fees for credit support provided under this section.

''(2) AVAILABILITY.—Fees collected under this section shall be subject to section 1702(h)(2).

''(h) UNDERWRITING.—The Secretary may delegate the underwriting activities under this section to 1 or more entities that the Secretary determines to be qualified.

''(i) REPORT.—Not later than 1 year after commencement of the program, the Secretary shall submit to the appropriate committees of Congress a report that describes in reasonable detail—

''(1) the manner in which this section is being carried out;

''(2) the number and type of projects supported;

''(3) the types of funding mechanisms used to provide credit support to projects;

''(4) the energy savings expected to result from projects supported by this section;

''(5) any tracking efforts the Secretary is using to calculate the actual energy savings produced by the projects; and

''(6) any plans to improve the tracking efforts described in paragraph (5).

''(j) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $500,000,000 for the period of fiscal years 2011 through 2020, to remain available until expended.

''(2) ADMINISTRATIVE COSTS.—Not more than 1 percent of any amounts made available to the Secretary under paragraph (1) may be used by the Secretary for administrative costs incurred in carrying out this section.''.

SEC. 3. MUSH BUILDING REVOLVING FUND.

(a) DEFINITIONS.—In this section:

(1) PROJECT.—The term ''project'' means an energy efficiency retrofit project that meets the terms of this section and criteria determined to be necessary by the Secretary.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(3) STATE.—The term ''State'' has the meaning given the term in section 412 of the Energy Conservation and Production Act (42 U.S.C. 6862).

(b) ESTABLISHMENT.—The Secretary shall establish the MUSH Building Efficiency Program to provide grants to State revolving funds to finance projects.

(c) ELIGIBILITY.—To be eligible to receive a grant under this program, a State shall have, or propose to establish, a program to finance or support building improvement projects on buildings that are owned or controlled by—

(1) a municipality;

(2) a State or public university, including a community college;

(3) a school or school district, including a technical school or a vocational school; and

(4) a State, city, or other publicly owned hospital.

(d) TERMS AND CONDITIONS.—

(1) IN GENERAL.—As a condition of receiving a grant under this section, a State shall—

(A) develop technical energy assessment report guidelines for each project to be carried out under this section;

(B) develop procedures—

(i) to monitor energy consumption prior to, and for at least 3 years after, the completion of each project carried out using State revolving funds;

(ii) to make data publicly available in aggregated summary reports regarding the performance of each project carried out using State revolving funds; and

(iii) to analyze energy savings, in kilowatt hours and dollars, before and for at least 3 years after the completion of each project carried out using State revolving funds; and

(C) incorporate training on audit techniques in any guidelines or procedures developed for State revolving funds that receive a grant under this section.

(2) MAXIMUM REPAYMENT TERM.—A State receiving a grant under this section shall not enter into any obligations with a repayment term that exceeds 15 years.

(3) CONFLICT OF INTEREST.—A commissioning organization or individual that receives compensation for professional services relating to a project carried out under this section shall not acquire any direct or indirect financial interest in the sale of energy efficiency equipment or products that are directly related to the project.

(e) REPORT.—Not later than 1 year after commencement of the MUSH Building Efficiency Program, the Secretary shall submit to the appropriate committees of Congress a report that—

(1) describes in detail the manner in which this section has been carried out;

(2) aggregates the project performance data of the State programs receiving a grant under this section; and

(3) includes any recommendations of the Secretary on modifications that may improve the grant program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary.

SEC. 4. ENERGY EFFICIENCY SUPPORT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) PROJECT.—The term ''project'' means an energy efficiency retrofit project that meets the criteria described in subsection (c).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) ESTABLISHMENT.—The Secretary shall establish a program that provides grants to State or tribal governments to support property assessed clean energy bonds and other tax assessment-based financing mechanisms to support building retrofits that meet the criteria described in subsection (c).

(c) AUTHORIZATION, TERMS, AND CONDITIONS.—

(1) AUTHORIZATION.—

(A) IN GENERAL.—In carrying out this section, the Secretary shall provide grants to capitalize loan loss reserves for property assessed clean energy bonds and other tax assessment-based financing mechanisms managed by State or tribal governments.

(B) MAXIMUM.—No eligible entity shall receive a grant under this section that exceeds a total amount of $10,000,000.

(2) ELIGIBLE PROGRAMS.—

(A) IN GENERAL.—A grant under this section shall be used to finance building retrofit projects that are expected to produce significant energy efficiency gains.

(B) USE OF FUNDS.—A State or tribal government that receives a grant under this section shall use the funds to provide credit enhancements or establish other loan loss reserve funds approved by the Secretary.

(C) CONDITIONS.—As a condition of receiving a grant under this section, a State or tribal government shall provide to the Secretary such assurances as the Secretary determines to be necessary, including assurances that the State or tribal government shall—

(i) provide support for each financing mechanism approved by the Secretary, including property assessed clean energy bonds and tax lien financing;

(ii) for each project receiving financial assistance under this section, develop comprehensive procedures for—

(I) monitoring energy consumption prior to the commencement of, and at least 3 years after completion of, each project; and

(II) analyzing energy savings achieved, measured in kilowatt hours and dollars, prior to the commencement of, and at least 3 years after completion of, each project; and

(III) making data recorded from each project publicly available in aggregated summary reports describing the performance of each project; and

(D) incorporate training on audit techniques in any guidelines developed for the capital loan loss reserves.

(d) PROGRAM COORDINATION AND AGGREGATION.—Subject to subsection (c)(1) and approval of the Secretary, eligible State or tribal governments may combine grants provided under this section to create multijurisdictional programs to support projects that meet the requirements of this section.

(e) REPORT.—Not later than 1 year after the commencement of the program, the Secretary shall submit to the appropriate committees of Congress a report that—

(1) describes in detail the manner in which this section has been carried out;

(2) aggregates the project performance data of the State, local, and tribal government programs receiving funding under this section; and

(3) includes any recommendations of the Secretary on modifications that may improve the grant program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 618—DESIGNATING OCTOBER 2010 AS ''NATIONAL WORK AND FAMILY MONTH''

Mrs. LINCOLN (for herself, Mr. CRAPO, Mr. DODD, Mr. KOHL, Ms. LANDRIEU, Mr. MERKLEY, and Mrs. MURRAY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 618

Whereas, according to a report by WorldatWork, a nonprofit professional association with expertise in attracting, motivating, and retaining employees, the quality of workers' jobs and the supportiveness of their workplaces are key predictors of workers' job productivity, job satisfaction, and commitment to employers and of employers' ability to retain workers;

Whereas, according to the 2008 National Study of Employers by the Families and Work Institute, employees in more flexible and supportive workplaces are more effective employees, are more highly engaged and less likely to look for a new job in the next year, and enjoy better overall health, better mental health, and lower levels of stress than employees in workplaces that provide less flexibility and support;

Whereas, according to a 2004 report of the Families and Work Institute entitled ''Overwork in America'', employees who are able to effectively balance family and work responsibilities are less likely to report making mistakes or feel resentment toward employers and coworkers;

Whereas, according to the ''Best Places to Work in the Federal Government'' rankings released by the Partnership for Public Service and American University's Institute for the Study of Public Policy Implementation, work-life balance and a family-friendly culture are among the key drivers of engagement and satisfaction for employees in the Federal workforce;

Whereas, according to a 2009 survey of college students by the Partnership for Public Service and Universum USA entitled ''Great Expectations! What Students Want in an Employer and How Federal Agencies Can Deliver It'', attaining a healthy work-life balance was an important career goal of 66 percent of the students surveyed;

Whereas a 2008 study by the Partnership for Public Service entitled ''A Golden Opportunity: Recruiting Baby Boomers into Government'' revealed that workers between the ages of 50 and 65 are a strong source of experienced talent for the Federal workforce and that nearly 50 percent of workers in that age group find flexible work schedules ''extremely appealing'';

Whereas finding a good work-life balance is important to workers in multiple generations;

Whereas employees who are able to effectively balance family and work responsibilities tend to feel healthier and more successful in their relationships with their spouses, children, and friends;

Whereas 85 percent of wage and salaried workers in the United States have immediate, day-to-day family responsibilities outside of their jobs;

Whereas, in 2000, research by the Radcliffe Public Policy Center revealed that men in their 20s and 30s and women in their 20s, 30s, and 40s identified a work schedule that allows them to spend time with their families as the most important job characteristic for them;

Whereas, according to the 2006 American Community Survey by the United States Census Bureau, 47 percent of wage and salaried workers in the United States are parents with children under the age of 18 who live with them at least half-time;

Whereas job flexibility often allows parents to be more involved in their children's lives and research demonstrates that parental involvement is associated with children's higher achievement in language and mathematics, improved behavior, greater academic persistence, and lower dropout rates;

Whereas the 2000 Urban Working Families study demonstrated that a lack of job flexibility for working parents negatively affects children's health in ways that range from children being unable to make needed doctors' appointments to children receiving inadequate early care, leading to more severe and prolonged illness;

Whereas, from 2001 to the beginning of 2008, 1,700,000 active duty troops served in Iraq and 600,000 members of the National Guard and Reserve (133,000 on more than one tour) were called up to serve in Iraq;

Whereas, because so many of those troops and National Guard and Reserve members have families, there needs to be a focus on policies and programs that can help military families adjust to the realities that come with having a family member in the military;

Whereas research by the Sloan Center for Aging and Work reveals that the majority of workers aged 53 and older attribute their success as an employee by a great or moderate extent to having access to flexibility in their jobs and that the majority of those workers also report that, to a great extent, flexibility options contribute to an overall higher quality of life;

Whereas studies show that ⅓ of children and adolescents in the United States are obese or overweight, and healthy lifestyle habits, including healthy eating and physical activity, can lower the risk of becoming obese and developing related diseases;

Whereas studies report that family rituals, such as sitting down to dinner together and sharing activities on weekends and holidays, positively influence children's health and development and that children who eat dinner with their families every day consume nearly a full serving more of fruits and vegetables per day than those who never eat dinner with their families or do so only occasionally;

Whereas unpaid family caregivers will likely continue to be the largest source of long-term care services in the United States for the elderly;

Whereas the Department of Health and Human Services anticipates that by 2050 the number of such caregivers will reach 37,000,000, an increase of 85 percent from 2000, as baby boomers reach retirement age in record numbers; and

Whereas the month of October is an appropriate month to designate as ''National Work and Family Month'': Now, therefore, be it

Resolved, That the Senate—

(1) designates October 2010 as ''National Work and Family Month'';

(2) recognizes the importance of work schedules that allow employees to spend time with their families to job productivity and to healthy families;

(3) urges public officials, employers, employees, and the general public to work together to achieve more balance between work and family; and

(4) calls upon the people of the United States to observe National Work and Family Month with appropriate ceremonies and activities.